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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL  
PROPERTY  
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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In re Application of Hyun-Soo Kim et al. :  
Serial No.: 10/016,821 :  
Filed: December 7, 2001 : WITHDRAWAL OF ABANDONMENT  
Attorney Docket No.: 3267/FLK/CIPof2687 :

This is in response to applicants' petition under 37 CFR 1.181, filed January 16, 2003, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed March 27, 2002.

A review of the file history shows that this application was filed as a continuation in part of application serial number 09/536,163, filed March 25, 2000. The examiner mailed an Office action to applicant on March 27, 2002, setting a three month shortened statutory time period for reply. On December 13, 2002, the Office mailed a Notice of Abandonment for failure to respond to the Office action.

Applicant states that a response was filed on July 17, 2002, as evidenced by the properly executed Certificate of Mailing on the reply. Applicant provides a copy of the submitted reply with the petition, and also a copy of the return postcard stamped by the USPTO. Both the response and the return postcard bear the serial number date of the parent application, not this application. The application filing date is indicated as July 18, 1999 on the response and as July 18, 2001 on the return postcard. However, both the response and the return postcard list the attorney docket number of this application and the substance of the response is clearly directed to the Office action of March 27, 2002. In view of this evidence, applicant is considered to have submitted a timely (though misdirected) reply.

Applicant's petition is **GRANTED**. The application is restored to pending status with the mailing of this decision and will be forwarded to the examiner for consideration of the response.

Should there be any questions with regard to this letter please contact Bruce Campbell by letter addressed to the Director, Technology Center 1600, Washington, DC 20231, or by telephone at (703) 308-4205 or by facsimile transmission at (703) 746-5006.

John Doll  
Director, Technology Center 1600